



Austin City Council
MINUTES

REGULAR MEETING
THURSDAY, OCTOBER 25, 2001

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 25, 2001 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

INVOCATION – Islam Mussad from the Islamic Center of Austin

Mayor Watson called the meeting to order at 10:11 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Griffith's motion, Council Member Thomas' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

1. Approval of minutes for regular meeting of October 11, 2001.
The minutes for the regular meeting of October 11, 2001 were approved.

Item 2 was a briefing.

Items 3 through 10 were Executive session items.

Item 11 was pulled for discussion.

12. C14-01-0016 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8600 Guadalupe Street (Little Walnut Creek Watershed) from SF-3, Family Residence district, zoning to SF-6, Townhouse and Condominium district, zoning. First reading June 14, 2001; Vote: 7-0. Conditions met as follows: No conditions were imposed by City Council at first ordinance reading. Applicant: Iglesia Evangelica Latina Inc. Agent: Angel Construction Plus and I.T. Gonzalez. City Staff: Katie Larsen, 974-3072. Note: A valid petition has been filed in opposition to this rezoning request. (continued from 10/4/01)
Ordinance No. 011025-12 was approved.

Item 13 was pulled for discussion.

14. Approve a resolution to ratify award of a contract with PATHMARK TRAFFIC PRODUCTS OF TEXAS, INC., San Marcos, Texas, for the purchase of two trailer-mount solar message centers in the amount of \$23,500 each for a total amount of \$47,000. (Funding for purchase of the message centers was available from the Aviation Department. Grounds Maintenance Division operating funds in the grounds maintenance organization. No financial impact to operating funds.)
Resolution No. 011025-14 was approved.
15. Set a public hearing regarding a proposed rate increase by TXU Gas Distribution Company. (Suggested Date and Time: November 1, 2001 at 6:00 p.m.)
Resolution No. 011025-15 was approved.

Item 16 was pulled for discussion.

17. Approve a resolution authorizing an amendment to the legal services contract with the Law Office of Robert Rima, for legal services regarding review of Southern Union Gas tariff and practices, for an increase of \$48,000, with a total contract amount not to exceed \$90,000. (Funding in the amount of \$48,000 was included in the 2001-2002 Approved Economic Development Fund of the Law Department.)
Resolution No. 011025-17 was approved.
18. Approve a resolution authorizing the negotiation and execution of a contract amendment for an amount not to exceed \$20,000 to the Urban Renewal Agency (URA), for a total contract amount not to exceed \$60,000, for the purpose of providing funds for acquiring property insurance and costs associated with property maintenance in connection with the East 11th and East 12th Street Redevelopment project. [Funding in the amount of \$20,000 is available in Fiscal Year 2001-2002 Neighborhood Housing and Community Development (NHCD) Office 27th Year Community Development Block Grant (CDBG), East 11th & 12th Streets Redevelopment Program.]
Resolution No. 011025-18 was approved.
19. C814-87-007.01 Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4101 Parkstone Heights Drive (Barton Creek Watershed) from PUD, Planned Unit Development district, zoning to PUD, Planned Unit Development district, zoning in order to change a condition of zoning. First Reading on September 27, 2001; Vote: 7-0. Conditions met as follows: Ordinance incorporates the conditions approved by Council on first ordinance reading. Property Owner and Applicant: Cornerstone Group Architect (Mark Carlson, A.I.A.). Agent: Conley Engineering, Inc. (Robert Thompson, P.E.). City Staff: Wendy Walsh, 974-7719.
Ordinance No. 011025-19 was approved.

Items 20 through 30 were pulled for discussion.

31. Approve an ordinance authorizing acceptance of \$2,000 in grant funds from the Federal Emergency Management Agency (FEMA) for the mentoring component of the Project Impact Program for the City of Austin and amend the Special Revenue Fund by appropriating \$2,000 in grant funds for the Management Services (OEM) special revenue fund of ordinance no. 000912-1. (Funding from the Federal Emergency Management Agency (FEMA))
Ordinance No. 011025-31 was approved.

32. Approve a resolution authorizing negotiation and execution of a contract to purchase approximately thirty-six acres in fee simple located along Old Manor Road, from Betty Jean Purvis, for Greenways and Destination Parks as authorized by the November 1998 Bond Proposition 2, in an amount not to exceed \$216,000. (Funding was included in the 2001-2002 Capital Budget of the Parks & Recreation Department.)
Resolution No. 011025-32 was approved.
33. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with COTERA, KOLAR, NEGRETE & REED ARCHITECTS (10% MBE), Austin, Texas, for additional cost estimating and value engineering services for the design of the New City Hall, Public Plaza and Parking Garage, in an amount not to exceed \$200,000, for a total contract amount not to exceed \$5,383,000. (Funding in the amount of \$200,000 is available in the 2000-2001 Amended Capital Budget for Redevelopment Services.) 90% MBE, 0% WBE subcontracting participation.
Resolution No. 011025-33 was approved.
34. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with BETHANY RAMEY ARCHITECT (WBE, 95%) with HATCH PARTNERSHIP, L.L.P., JOINT VENTURE, Austin, Texas, for extended construction and warranty phase services for the Windsor Park Branch Library, in an amount not to exceed \$25,000, for a total contract not to exceed \$182,836. (Funding in the amount of \$25,000 is included in the 2001-2002 Operating Budget of the Austin Library Department.) 3% MBE, 0% WBE subcontracting participation.
Resolution No. 011025-34 was approved.
35. Approve a resolution authorizing execution of a contract with AFFHOLDER, INC., Chesterfield, MO, for construction of the South Austin Regional Wastewater Treatment Plant – Lift Station Interconnect Tunnel, in the amount of \$3,725,400. (Funding is included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) Lowest of five bids received. 14.6% MBE, .68% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 011025-35 was approved.
36. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with TURNER COLLIE & BRADEN, INC., Austin, Texas, for construction phase services and professional engineering services for the South Austin Regional Wastewater Treatment Plant Expansion and Improvements Project, in the amount of \$537,108 for a total contract amount not to exceed of \$17,531,007. (Funding in the amount of \$537,108 is included in the 2000-2001 Amended Capital Budget of the Water & Wastewater Utility.) 2.53% MBE, 0% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
Resolution No. 011025-36 was approved.
37. Approve a resolution authorizing the negotiation and execution of an Advance Funding Agreement for Standard Highway Improvement Projects (On-System) with the Texas Department of Transportation for the IBM/Tivoli right turn lane on Burnet Road between Kramer Lane and Gracy Farms Lane. (IBM/Tivoli will pay for the street improvement.)
Resolution No. 011025-37 was approved.
38. Approve a resolution authorizing execution of 12-month supply agreements for the purchase of remote terminal units with DAQ ELECTRONICS, Piscataway, NJ, in an amount not to exceed \$59,670 with two 12-month extension options in an amount not to exceed \$59,670 per option, for a total contract amount not to exceed \$179,010; and QEI, INCORPORATED, Springfield, NJ, in

an amount not to exceed \$69,328 with two 12-month extension options in an amount not to exceed \$69,328 per option, for a total contract amount not to exceed \$207,984. (Funding in the amount of \$128,998 is available in the 2001-2002 Approved Capital Budget for the Electric Utility Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bid meeting specifications of four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, MBE/WBE goals were not established for this contract. This contract is for a commodity purchase that will be delivered by the manufacturer.

Resolution No. 011025-38 was approved.

39. Approve a resolution authorizing execution of a contract with JOHNSON MARCH SYSTEMS, INC., Ivyland, PA, for the purchase of steam and water analysis system equipment for the Sand Hill Energy Center, in an amount not to exceed \$115,933. (Funding is available in the 2001-2002 Approved Capital Budget for the Electric Utility Department.) Best evaluated proposal/three proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no MBE/WBE goals were established for this solicitation.

Resolution No. 011025-39 was approved.

40. Approve a resolution authorizing execution of a 12-month supply agreement with WASTE SYSTEMS EQUIPMENT, INC., Houston, Texas, for the purchase of captive repair parts for Perkins Can Tippers in an amount not to exceed \$60,000 with two 12-month extension options in an amount not to exceed \$60,000 per extension for a total contract amount not to exceed \$180,000. (Funding in the amount of \$60,000 was included in the 2001-2002 Operating Budget for the Fleet Maintenance Fund of the Finance and Administrative Services Department. Funding for the extension options is contingent upon available funding in future budgets.) Low bidder/two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation. These parts are provided directly to the City by the manufacturer's authorized distributor.

Resolution No. 011025-40 was approved.

41. Approve a resolution authorizing execution of a 12-month supply agreement with CHARTWELL CARE GIVERS, INC., Austin, Texas, to provide durable medical equipment for enrollees of the City of Austin Medical Assistance Program, in an amount not to exceed \$27,615, with two 12-month extension options in an amount not to exceed \$27,615 per extension, for a total contract amount not to exceed \$82,845. (Funding in the amount of \$23,012.50 was included in the Fiscal Year 2001- 2002 Operating Budget of the Health and Human Services Department. Funding for the remaining two months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bidder meeting specifications of two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

Resolution No. 011025-41 was approved.

42. Approve a resolution authorizing execution of a contract with SQUARE D COMPANY, Houston, Texas, for conversion of air magnetic contactors to vacuum type contactors for the Water and Wastewater Utility, in an amount not to exceed \$43,500. (Funding is available in the 2001-2002 Approved Operating Budget of the Water and Wastewater Utility.) Low bid of two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. This is a service that will be provided directly by the vendor. There are no subcontracting opportunities, therefore, no goals were established for this solicitation.

Resolution No. 011025-42 was approved.

Item 43 was pulled for discussion.

44. Approve an ordinance amending section 16-4-34 - Speed Limits of the City Code by adding South First Street from F.M. 1626 to Slaughter Lane to the list of streets having a maximum speed limit of 45 miles per hour. (Funding is available in the 2000-2001 Operating Budget of the Transportation, Planning and Sustainability Department for installation of the appropriate speed limit signs.)

Ordinance No. 011025-44 was approved.

45. Approve a resolution authorizing the issuance of a Street Event Permit for a fee paid event in the 100 block of East 5th Street and the 400 block of Congress Avenue Alley for the Mexic Arte annual Dia De Los Muertos street event. The event is scheduled to begin November 2, 2001 at 12:00 p.m. through November 2, 2001 at 11:00 p.m. (A portion of the gate receipts will be deposited in the Great Streets account for downtown beautification.)

Resolution No. 011025-45 was approved.

Item 46 was pulled for discussion.

47. Approve a resolution authorizing negotiation and execution of an amendment to the professional services agreement with GSG, INC. (MBE/MA, 28%), Austin, Texas, for additional Phase III construction engineering services for the Water Reclamation Initiative Phase 1-A, in the amount of \$89,676 for a total agreement amount not to exceed \$2,555,499.47. (Funding in the amount of \$89,676 is included in the 2000-2001 Amended Capital Budget of the Water and Wastewater Utility.) 0% MBE, 27.4% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)

Resolution No. 011025-47 was approved.

48. Approve a resolution authorizing the City Manager to negotiate and execute an amendment to the 1999 Wholesale Wastewater Service Agreement between the City of Austin (City) and the City of Rollingwood (Rollingwood) to modify Rollingwood's ownership, operation and maintenance obligations under the Agreement. (Requires no Austin expenditures. Rollingwood will fund and construct any future facilities required by the proposed amendment to the 1999 Wholesale Wastewater Service Agreement.)

Resolution No. 011025-48 was approved.

Item 49 was pulled for discussion.

50. Consider and possible action on a resolution making an appointment to the position of Deputy City Clerk. (Council Member Danny Thomas, Mayor Pro Tem Jackie Goodman and Council Member Beverly Griffith) (Related Item Nos. 8, 9 and 10)

This item was postponed to November 1, 2001.

51. Consider and possible action on a resolution directing the city manager to identify warehouse space for available use by the national and local Red Cross chapters. (Council Member Danny Thomas)

Resolution No. 011025-51 was approved.

52. Consider and possible action on an ordinance adding a new Section 16-5-22 and amending Section 16-5-98 of the City Code to prohibit parking in the front or side yard of a residential property and to create a civil penalty. (Council Member Danny Thomas)

This item was postponed to November 8, 2001.

Item 53 was pulled for discussion.

54. Approve an ordinance waiving the payment of certain fees and requirements under Chapter 15-11 of the City Code, approving the temporary closure of the 1100 Block of Waller Avenue on October 26, 2001 for the East Side Community Festival, and approving the City's co-sponsorship of the Festival. (Council Member Danny Thomas)
Ordinance No. 011025-54 was approved.

55. Approve an ordinance authorizing reimbursement of street closure fees in the amount of \$1,533.00 for the Austin/Travis County Mental Health and Mental Retardation's (ATCMHMR) "Race against the Stigma" event which occurred on October 6, 2001. (Council Member Beverly Griffith)
Ordinance No. 011025-55 was approved.

Items 56 through 65 were citizen communications.

Items Z-1 through Z-7 were zoning items.

Items 66 through 74 were public hearings.

Items 75 through 78 were action items related to the public hearings.

79. BOARD AND COMMISSION APPOINTMENTS

Animal Advisory Commission

| | | |
|-----------------|---------------|-----------|
| Betty Dunkerley | reappointment | Consensus |
|-----------------|---------------|-----------|

Arts Commission

| | | |
|-----------------------------|-------------|---------|
| Guadalupe "Bertha" Martinez | appointment | Alvarez |
|-----------------------------|-------------|---------|

Bond Oversight Committee

| | | |
|--------------|-------------|-----------|
| Thomas Lewis | appointment | Consensus |
|--------------|-------------|-----------|

Commission for Women

| | | |
|--------------------|---------------|---------|
| Maria C. Hernández | reappointment | Alvarez |
| Anita Mennucci | reappointment | Wynn |

Commission on Immigrant Affairs

| | | |
|------------------|-------------|-----------|
| Behram Atashband | appointment | Consensus |
|------------------|-------------|-----------|

Community Development Commission

| | | |
|---------------|-------------|-------|
| Michael Alder | appointment | Mayor |
|---------------|-------------|-------|

Downtown Commission

| | | |
|---|---------------|-----------|
| Bruce M. Willenzik (Arts Commission Rep.) | reappointment | Consensus |
|---|---------------|-----------|

Ethics Review Commission

| | | |
|---|-------------|-----------|
| Jo Ann Merica (Travis County Bar Assoc. Rep.) | appointment | Consensus |
|---|-------------|-----------|

Historic Landmark Commission

| | | |
|-----------------------|-------------|-----------|
| Mario Lorenzo Sánchez | appointment | Consensus |
|-----------------------|-------------|-----------|

Parks and Recreation Board

| | | |
|---------------------|-------------|-----------|
| Paul (Pablo) Valdez | appointment | Consensus |
|---------------------|-------------|-----------|

Robert Mueller Municipal Airport Plan Implementation Advisory Commission

| | | |
|---------------------|-------------|-----------|
| Vicki Beal McDonald | appointment | Consensus |
|---------------------|-------------|-----------|

Solid Waste Advisory Commission

| | | |
|---------------|---------------|-----------|
| Lark Anthony | reappointment | Consensus |
| Tracy K. Sosa | appointment | Mayor |

DISCUSSION ITEMS

13. Approve a resolution authorizing negotiation and execution of a professional services agreement with EARTH TECH, INC., Austin, Texas for program management consultant services for the management support and coordination for the planning, design and construction of sustainable wastewater collection facilities to comply with a 1999 Environmental Protection Agency Administrative Order No. VI-99-1221, in an amount not to exceed \$2,700,000. (Funding available in the 2001-2002 Capital Budget of the Water & Wastewater Utility.) Best of eight firms submitted qualification statements. 14.6% MBE, 18.2% WBE subcontracting participation. (Recommended by Water and Wastewater Commission)
- Resolution No. 011025-13 was approved adopting staff's recommendation, on Council Member Slusher's motion, Mayor Watson's second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.**

BRIEFINGS

2. Legal and fiscal implications of a proposed campaign finance charter amendment. The presentation was made by Sedora Jefferson, City Attorney; John Steiner, Assistant City Attorney; and Vicki Schubert, Assistant Director, Finance.

DISCUSSION ITEMS CONTINUED

29. C14-01-0034 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Walsh Tarlton Lane at Capital of Texas Highway South (Loop 360) (Barton Creek Watershed) from SF-2, Single Family Residence Standard Lot district, zoning to GR-CO, Community Commercial-Conditional Overlay Combining district, zoning with conditions for Tract 1 and LO-CO, Limited Office-Conditional Overlay Combining district, zoning with conditions for Tract 2. First Reading on August 9, 2001; Vote: 4-2, Alvarez and Slusher-nay, Watson off the dais. Second Reading on September 27, 2001; Vote: 4-3, Goodman, Alvarez and Slusher-nay. Conditions met as follows: Ordinance incorporates the conditions approved by Council on Second ordinance reading. Property Owner and Applicant: Leon Schmidt. Agent: Riverside Resources Investment, LLC. (Jeremy Smitheal). City Staff: Adams Smith, 974-2755.
- Ordinance No. 011025-29 was approved amending Part 2(1) to read, “. . . 4000 trips per day for Tract 1 and 2,000 trips per day for Tract 2,” on Council Member Wynn's motion, Council Member Thomas' second by a 4-2 vote. Those voting aye were: Mayor Watson and Council Members Griffith, Thomas and Wynn. Those voting nay were: Council Members Alvarez and Slusher. Mayor Pro Tem Goodman was off the dais.**
43. Approve a resolution authorizing use of approximately 3,800 square feet in the New City Hall for a café and City Store concept.

Resolution No. 011025-43 was approved on Council Member Slusher's motion, Council Member Alvarez' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

The motion to recess the meeting at 11:56 a.m. to go into Executive Session was approved on Council Member Griffith's motion, Council Member Alvarez' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda

3. Discuss legal issues regarding tariff compliance as identified by an audit of Southern Union Gas cost of gas calculations.
4. Discuss legal issues related to the contract with the Center for Mexican American Cultural Arts.
5. Discuss legal issues related to the Steiner Ranch development agreement.
6. Discuss purchase of real property related to the Barton Springs Clean Water Project funded by May 1998 election, Proposition 2 bonds.
7. Discuss purchase of real property related to the Open Space Project funded by November 2000 election, Proposition 2 bonds.
8. Receive information from staff regarding selection of Deputy City Clerk. (Related Item Nos. 9, 10 and 50)
This item was postponed to November 1, 2001.
9. Interview candidates for Deputy City Clerk. (Related Item Nos. 8, 10 and 50)
This item was postponed to November 1, 2001.
10. Discuss and evaluate candidates for Deputy City Clerk. (Related Item Nos. 8, 9 and 50)
This item was postponed to November 1, 2001.

Mayor Watson announced that item 11 would also be discussed in Executive session.

Executive session ended at 12:55 p.m.

Council Member Slusher called the meeting back at 1:34 p.m.

1:30 P.M. CITIZEN COMMUNICATIONS: GENERAL

56. Tish Williams - Noise Issues
57. Mary Gay Maxwell - Noise Issues
58. Khy Chapman - Austin noise ordinance, or Lack of.
59. Karin Richeson - Amplified Noise
60. Jimmy Castro - November 6 Election
61. Susana Almanza - Globalize Peace
62. Dr. Sylvia Herrera - No relocation plan for East Austin
63. Paul Robbins - **ABSENT**
64. Jennifer L. Gale - Halloween in Austin will be much less scary when you read Jennifer Gale's clever platform for mayor.
65. Gus Pena - To discuss Concerns about reducing incentives for developers under Smart (Growth) Housing. No cuts or Layoffs in programs that provide direct services such as Senior Citizens Programs, Youth Programs, or Programs that positively impact the Residents of Austin. Need Transitional Housing here in Austin and more affordable Low Income Housing.

DISCUSSION ITEMS CONTINUED

30. C14-01-0084 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001 Armadillo Road and 6605 Emerald Forest Drive (Williamson Creek Watershed) from SF-3, Family Residence district, zoning to NO-MU-CO, Neighborhood Office-Mixed Use-Conditional Overlay Combining district, zoning, with conditions for Tract 1, and SF-6, Townhouse and Condominium Residence district, zoning for Tract 2. First Reading on August 23, 2001; Vote: 4-1-1, Slusher nay, Goodman-abstained, Thomas off the dais. Second reading on September 27, 2001; Vote: 5-1-1, Slusher nay, Goodman-abstained. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council on first and second ordinance readings. Property Owner and Applicant: James Paul Hembree. Agent: Sarah Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 011025-30 was approved on Council Member Thomas' motion, Council Member Wynn's second by a 4-1 vote. Those voting aye were: Council Members Alvarez, Griffith, Thomas and Wynn. Council Member Slusher voted no. Mayor Watson and Mayor Pro Tem Goodman were off the dais.

53. Consider and possible action on a resolution directing the City Manager to work with the Travis County Commissioners Court, staff, and other appropriate entities to develop a regional and environmentally-sound solution to minimize southwest Travis County traffic problems. (Council Member Danny Thomas)

Resolution No. 011025-53 was approved with the following amendments on Council Member Thomas' motion, Council Member Griffith's second by a 5-0 vote. Mayor Watson and Mayor Pro Tem Goodman were off the dais. The amendments were made to the 7th paragraph, which should read, "Whereas, the Austin City Council has established as a top priority transportation initiatives that reduce traffic congestion, protect neighborhood and the Barton Springs Edward's Aquifer;" and to the 3rd sentence of the last paragraph to read, ". . . transportation solutions and work with the Travis County Commissioners Court, Travis County staff, Southwest Travis County neighborhoods, environmental organizations, and other appropriate entities,"

The motion to recess the meeting at 2:19 p.m. was approved on Council Member Thomas' motion, Council Member Griffith's second by a 5-0 vote. Mayor Watson and Mayor Pro Tem Goodman were off the dais.

Mayor Watson called the meeting back to order at 3:39 p.m.

DISCUSSION ITEMS CONTINUED

16. Amend Ordinance No. 010910-02 the FY 2001-2002 Capital Budget of the Transportation, Planning and Sustainability Department by appropriating \$23,500,000 to a new account entitled "Loop 1 North Right-of-Way and Utility Relocation" to provide funding for the City's portion of right-of way and utility relocation for Loop 1 North from the intersection of existing Loop 1 and FM 734 in Austin to the proposed intersection of Loop 1 and SH 45. (The amount of 23,500,000 in revenue is available from bonds issued on August 30, 2001 to be repaid with funding from Capital Metropolitan Transportation Authority under an existing interlocal agreement.) (Related Item No. 46)

Ordinance No. 011025-16 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.

46. Approve a resolution authorizing negotiation and execution of an interlocal agreement with the Texas Turnpike Authority (TTA), (a division of the Texas Department of Transportation), in which the City will pay for 50% of the right-of-way and utility relocation costs for Loop 1 North, currently estimated to be \$27.5 million, for that portion of the project located within Austin's city limits, beginning at the intersection of Loop 1 and FM 734. (The amount of \$23.5 million is available in the Amended 2000-2001 Capital Budget of the Transportation Planning and Design Department. Funding for the remainder of the project is contingent upon available funding in future budgets.) (Related Item No. 16)
- Resolution No. 011025-46 was approved on Council Member Wynn's motion, Council Member Slusher's second by a 7-0 vote.**

ZONING CONSENT

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Wynn's motion, Council Member Thomas' second by a 7-0 vote.

- Z-1 C14-01-0080 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 7800 Block of San Felipe Boulevard (Rattan Creek Watershed) from CS-CO, General Commercial Services-Conditional Overlay Combining district, zoning to MF-2, Multifamily Residence Low Density district, zoning. Planning Commission Recommendation: To grant MF-2, Multifamily Residence Low Density district, zoning. Applicant: John Pieratt (Pieratt No. 1, LLC). Agent: Jim Bennett. City Staff: Sherri Gager, 499-3057. (continued from 9/27/01)
- This item was postponed to November 8, 2001 at applicant's request.**

Item Z-2 was pulled for discussion.

- Z-3 C14-01-0118 - Capitol Vineyards - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 401 East Parmer Lane (Walnut Creek Watershed) from GR, Community Commercial Services District, zoning to CS-1, Commercial-Liquor Sales district, zoning. Zoning and Platting Commission Recommendation: To grant CS-1 Commercial-Liquor Sales district zoning. Agent: Naime Bros LLC d/b/a Capital Vineyards (Fadi A. Nehme), Reagan & Juarez, LLP (Paul M. Juarez). City Staff: Sherri Gager, 974-3057.
- Ordinance No. 011025-Z3 was approved.**

- Z-4 C14-01-0119 - City of Austin - Public hearing to amend Chapter 25-2 of the Austin City Code by zoning property locally known as 8206 La Crosse Avenue (Williamson Creek Watershed) from I-RR, Interim Rural Residence District zoning to P, Public District zoning. Zoning and Platting Commission Recommendation: To grant P, Public District zoning. Property Owner: City of Austin Water and Wastewater Department (Michael Boyle, P.E.). Agent: HJV Associates, Inc. (Linda Barlow). City Staff: Wendy Walsh, 974-7719.
- Ordinance No. 011025-Z4 was approved.**

- Z-5 C14-01-0122 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 2507 Mitchell Lane (Slaughter Creek Watershed) from DR, Development Reserve district, zoning to SF-2, Single Family Residence Standard Lot district, zoning. Zoning and Platting Commission Recommendation: To grant SF-2-CO, Single Family Residence Standard Lot-Conditional Overlay Combining district, zoning with conditions. Property Owner: Charles W. Mansfield. Agent: Permit and Development Solutions (Betty Torres). City Staff: Wendy Walsh, 974-7719.
- Ordinance No. 011025-Z5 was approved, changing the zoning to SF-2-CO.**

- Z-6 C14-01-0125 SH – Garden Terrace – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 1015 West William Cannon Drive (Williamson and South Boggy Creek Watersheds) from SF-3, Family Residence district, zoning to MF-1-CO, Multifamily Residence-Limited Density Residence district, zoning. To grant MF-1-CO, Multifamily Residence-Limited Density Residence district, zoning, with conditions. Applicant: 22 Texas Services (Michael D. D’arcangelo). Agent: Foundation Communities, Inc. (Craig Alter). City Staff: Wendy Walsh, 974-7719.
Ordinance No. 011025-Z6 was approved.
- Z-7 C14-01-0128SH – Cottage Community – Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 10300 Dessau Road from SF-2, Single Family Residence Standard Lot district, zoning, to LO-MU, Limited Office-Mixed Use-Combining district zoning. Zoning and Platting Commission Recommendation: To grant LO-MU-CO, Limited Office-Mixed Use-Conditional Overlay Combining district zoning, with conditions. Applicant: Hazel Sanson Revocable Trust. Agent: Graves, Dougherty, Hearon and Moody, P.C. (Micheal Whellan). City Staff: Annick Beaudet, 974-3072. (continued from 10/11/01)
This item was postponed to November 1, 2001 at the applicant’s request.

ZONING DISCUSSION

- Z-2 C14-01-0102 - Public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as 4912 Monterey Oaks Boulevard (Barton Creek Watershed) from GR-CO, Community Commercial-Conditional Overlay Combining district, zoning to CS, General Commercial Services district zoning. Zoning and Platting Commission Recommendation: To grant CS-CO, General Commercial Services Conditional Overlay Combining district, zoning with conditions. Property Owner and Applicant: Evergreen Enterprises Inc. (Tahseen Khan). Agent: Stuart M. Alderman, Architect, LLP (Stuart M. Alderman). City Staff: Wendy Walsh, 974-7719.
The public hearing was closed on Council Member Wynn’s motion, Council Member Griffith’s second by a 5-0 vote. Mayor Watson and Council Member Thomas were off the dais.

The first reading of this ordinance was approved, including the requirement to use CO2 process for the dry cleaners; by directing staff to explore with Water and Wastewater and the permitting division ways to implement and enforce the CO2 process; and to report findings to Council before 2nd and 3rd reading, on Council Member Wynn’s motion, Mayor Pro Tem Goodman’s second by a 6-0 vote. Council Member Slusher voted no.

DISCUSSION ITEMS CONTINUED

20. C14-01-0023a – Brodie Springs - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. First Reading on October 11, 2001; Vote: 5-2, Slusher and Griffith nay. Property Owner and Applicant: Larry Niemann. Conditions met as follows: Restrictive covenant offered by applicant incorporates the conditions accepted by Council on first ordinance reading. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719. (continued from 4/26/01, 5/3/01, 5/10/01, 5/24/01, 8/2/01, 8/9/01 and 9/27/01)
The motion to approve the ordinance requiring performance based monitoring of the water quality for the pond by the homeowner’s association once it is established, was made on Mayor Pro Tem Goodman’s motion, Council Member Thomas’ second.

The substitute motion made by Council Member Wynn and seconded by Mayor Watson requiring technology based monitoring of the water quality for the pond by the homeowner’s

association once it is established, failed on a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Thomas.

The second reading of this ordinance was approved on the main motion, requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, on a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Slusher.

21. C14-01-0023b – Brodie Springs - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard lot district zoning. First Reading on October 11, 2001; Vote: 5-2, Slusher and Griffith nay. Property Owner and Applicant: Larry Niemann. Conditions met as follows: Restrictive covenant offered by applicant incorporates the conditions accepted by Council on first ordinance reading. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.

The motion to approve the ordinance requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, was made on Mayor Pro Tem Goodman's motion, Council Member Thomas' second.

The substitute motion made by Council Member Wynn and seconded by Mayor Watson requiring technology based monitoring of the water quality for the pond by the homeowner's association once it is established, failed on a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Thomas.

The second reading of this ordinance was approved on the main motion, requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, on a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Slusher.

22. C14-01-0023c – Brodie Springs - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. First Reading on October 11, 2001; Vote: 5-2, Slusher and Griffith nay. Property Owner and Applicant: Larry Niemann. Conditions met as follows: Restrictive covenant offered by applicant incorporates the conditions accepted by Council on first ordinance reading. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.

The motion to approve the ordinance requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, was made on Mayor Pro Tem Goodman's motion, Council Member Thomas' second.

The substitute motion made by Council Member Wynn and seconded by Mayor Watson requiring technology based monitoring of the water quality for the pond by the homeowner's association once it is established, failed on a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Thomas.

The second reading of this ordinance was approved on the main motion, requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, on a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Slusher.

23. C14-01-0023d – Brodie Springs - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10400 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. First Reading on October 11, 2001; Vote: 5-2, Slusher and Griffith nay. Property Owner and Applicant: Larry Niemann. Conditions met as follows: Restrictive covenant offered by applicant incorporates the conditions accepted by Council on first ordinance reading. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.

The motion to approve the ordinance requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, was made on Mayor Pro Tem Goodman's motion, Council Member Thomas' second.

The substitute motion made by Council Member Wynn and seconded by Mayor Watson requiring technology based monitoring of the water quality for the pond by the homeowner's association once it is established, failed on a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Thomas.

The second reading of this ordinance was approved on the main motion, requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, on a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Slusher.

24. C14-01-0024 – Brodie Springs - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3300 Block of Squirrel Hollow Drive (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. First Reading on October 11, 2001; Vote: 5-2, Slusher and Griffith nay. Property Owner and Applicant: Larry Niemann. Conditions met as follows: Restrictive covenant offered by applicant incorporates the conditions accepted by Council on first ordinance reading. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.

The motion to approve the ordinance requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, was made on Mayor Pro Tem Goodman's motion, Council Member Thomas' second.

The substitute motion made by Council Member Wynn and seconded by Mayor Watson requiring technology based monitoring of the water quality for the pond by the homeowner's association once it is established, failed on a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Thomas.

The second reading of this ordinance was approved on the main motion, requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is

established, on a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Slusher.

25. C14-01-0025a – Brodie Springs - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500-10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. First Reading on October 11, 2001; Vote: 5-2, Slusher and Griffith nay. Property Owner and Applicant: Larry Niemann. Conditions met as follows: Restrictive covenant offered by applicant incorporates the conditions accepted by Council on first ordinance reading. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.

The motion to approve the ordinance requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, was made on Mayor Pro Tem Goodman's motion, Council Member Thomas' second.

The substitute motion made by Council Member Wynn and seconded by Mayor Watson requiring technology based monitoring of the water quality for the pond by the homeowner's association once it is established, failed on a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Thomas.

The second reading of this ordinance was approved on the main motion, requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, on a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Slusher.

26. C14-01-0025b – Brodie Springs - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500-10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. First Reading on October 11, 2001; Vote: 5-2, Slusher and Griffith nay. Property Owner and Applicant: Larry Niemann. Conditions met as follows: Restrictive covenant offered by applicant incorporates the conditions accepted by Council on first ordinance reading. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.

The motion to approve the ordinance requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, was made on Mayor Pro Tem Goodman's motion, Council Member Thomas' second.

The substitute motion made by Council Member Wynn and seconded by Mayor Watson requiring technology based monitoring of the water quality for the pond by the homeowner's association once it is established, failed on a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Thomas.

The second reading of this ordinance was approved on the main motion, requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, on a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Slusher.

27. C14-01-0025c – Brodie Springs - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500-10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. First Reading on October 11, 2001; Vote: 5-2, Slusher and Griffith nay. Property Owner and Applicant: Larry Niemann. Conditions met as follows: Restrictive covenant offered by applicant incorporates the conditions accepted by Council on first ordinance reading. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.

The motion to approve the ordinance requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, was made on Mayor Pro Tem Goodman's motion, Council Member Thomas' second.

The substitute motion made by Council Member Wynn and seconded by Mayor Watson requiring technology based monitoring of the water quality for the pond by the homeowner's association once it is established, failed on a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Thomas.

The second reading of this ordinance was approved on the main motion, requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, on a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Slusher.

28. C14-01-0025d – Brodie Springs - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10500-10600 Block of Brodie Lane (Slaughter Creek Watershed) from I-RR, Interim-Rural Residence district zoning to SF-2, Single Family Residence Standard Lot district zoning. First Reading on October 11, 2001; Vote: 5-2, Slusher and Griffith nay. Property Owner and Applicant: Larry Niemann. Conditions met as follows: Restrictive covenant offered by applicant incorporates the conditions accepted by Council on first ordinance reading. Agent: Cunningham-Allen, Inc. (Jana Rice). City Staff: Wendy Walsh, 499-7719.

The motion to approve the ordinance requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, was made on Mayor Pro Tem Goodman's motion, Council Member Thomas' second.

The substitute motion made by Council Member Wynn and seconded by Mayor Watson requiring technology based monitoring of the water quality for the pond by the homeowner's association once it is established, failed on a 2-5 vote. Those voting aye were: Mayor Watson and Council Member Wynn. Those voting nay were: Mayor Pro Tem Goodman and Council Members Alvarez, Griffith, Slusher and Thomas.

The second reading of this ordinance was approved on the main motion, requiring performance based monitoring of the water quality for the pond by the homeowner's association once it is established, on a 4-3 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Goodman and Council Members Thomas and Wynn. Those voting nay were: Council Members Alvarez, Griffith and Slusher.

The motion to recess the meeting to go into Executive Session at 5:20 p.m. was approved on Council Member Wynn's motion, Mayor Pro Tem Goodman's second by a 7-0 vote.

Mayor Watson called the meeting back to order at 6:31 p.m.

DISCUSSION ITEMS CONTINUED

49. Approve an ordinance to adopt and implement the Steiner Ranch development agreement approved by city council on October 26, 2000.
Ordinance No. 011025-49 was approved on Council Member Wynn's motion, Mayor Watson's second by a 6-0 vote. Mayor Pro Tem Goodman's was off the dais.
11. C14-01-0046 – Hyde Park Neighborhood Conservation Combining District – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 45th Street to the north, 38th Street to the south, Guadalupe to the west, and Duval to the east (Waller Creek Watershed) from SF-3, Family Residence district, SF-3-H, Family Residence-Historic Combining district, MF-1, Multifamily Residence Limited Density district, MF-2, Multifamily Residence Low Density district, MF-3, Multifamily Residence Medium Density district, MF-4, Multifamily Residence Moderate-High Density district, MF-4-H, Multifamily Residence Moderate-High Density-Historic Combining district, LO, Limited Office district, LO-H, Limited Office-Historic Combining district, LR, Neighborhood Commercial district, GR, Community Commercial district, CS, General Commercial Services district, to MF-1-NCCD, Multifamily Residence Limited Density-Neighborhood Conservation Combining District, MF-2-NCCD, Multifamily Residence Low Density-Neighborhood Conservation Combining District, SF-3-NCCD, Family Residence-Neighborhood Conservation Combining District, SF-3-H-NCCD, Family Residence-Historic-Neighborhood Conservation Combining District, LO-NCCD, Limited Office-Neighborhood Conservation Combining District, LO-H-NCCD, Limited Office--Historic-Neighborhood Conservation Combining District, LR-NCCD, Neighborhood Commercial-Neighborhood Conservation Combining District, GR-NCCD, Community Commercial-Neighborhood Conservation Combining District, MF-3-NCCD, Multifamily Residence Medium Density-Neighborhood Conservation Combining District, MF-4-NCCD, MF-4-NCCD, Multifamily Residence Moderate-High Density-Neighborhood Conservation Combining District, and CS-NCCD, General Commercial Services-Neighborhood Conservation Combining District, zoning with conditions. First reading , August 23 ,2001; Vote: 5-2, Watson and Thomas nay. Conditions met as follows: The zoning ordinance incorporates the conditions imposed by City Council at first ordinance reading. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Glenn Rhoades, 974-2775, Meghan Wieters, Transportation, Planning and Sustainability Department, 974-6386. Note: Valid petitions have been filed by property owners in opposition to this rezoning request. (continued from 10/4/01) **The second reading was approved on Council Member Alvarez' motion, Council Member Griffith's second by a 4-2 vote. Those voting aye were: Council Members Alvarez, Griffith, Slusher and Wynn. Those voting nay were: Mayor Watson and Council Member Thomas. Mayor Pro Tem Goodman was off the dais.**
70. Conduct a public hearing to receive citizen comments on the City's application to the U.S. Department of Housing and Urban Development (HUD) for Section 108 Loan Guarantee Assistance in a loan amount not to exceed \$2,000,000 to increase the funds available for the Neighborhood Commercial Management Loan Program. (The amount of \$2,000,000 in loan funds is guaranteed by the U.S. Department of Housing and Urban Development's (HUD) Section 108 Loan Guarantee Assistance Program. If the loan application is approved the Fiscal Year 2001/2002 Operating Budget of the Neighborhood Housing and Community Development (NHCD) Office will be subsequently amended.)

The public hearing was closed on Council Member Griffith's motion, Council Member Alvarez' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

71. Conduct a public hearings to receive citizen comments on the City's application to the U.S. Department of Housing and Urban Development (HUD) for Section 108 Loan Guarantee Assistance in a loan amount not to exceed \$6,000,000 to fund the construction of the Downtown Homeless Shelter. (The amount of \$6,000,000 in loan funds is guaranteed by the U.S. Department of Housing and Urban Development's (HUD) Section 108 Loan Guarantee Assistance Program. If the loan application is approved the Fiscal Year 2001/2002 Operating Budget of the Neighborhood Housing and Community Development (NHCD) Office will be subsequently amended.)

The public hearing was closed on Council Member Griffith's motion, Council Member Thomas' second by a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

72. Conduct a public hearing on the full purpose annexation of the revised Barker Ranch annexation area; and petition and direct the City Manager to annex certain Proposition 2 areas. (Approximately 255 acres located in southern Travis County west of the Frate Barker Road/Brodie Lane intersection and extending westward towards the proposed alignment of SH 45 and southward towards Bear Creek).

The public hearing was closed on Council Member Slusher's motion, Council Member Griffith's second by a 7-0 vote.

73. Conduct a public hearing to receive citizen comments on proposed amendments to the City's federal annual Action Plan 2000-01, including the transfer of \$750,000 in Community Development Block Grant (CDBG) funds from the Homeowner Rate Buy Down and Acquisition and Development (Rental) programs to the Architectural Barrier Removal and Emergency Home Repair programs, from funds which will be carried forward into Fiscal Year 2001-2002. [Prior-year CDBG funds in the amount of \$600,000 are available from the Homeowner Rate Buy Down program and in the amount of \$150,000 are available from the Acquisition and Development (Rental) program.]

The public hearing was closed on Council Member Griffith's motion, Council Member Wynn's second by a 7-0 vote.

74. Conduct a public hearing for the limited purpose annexation of the following annexation areas: A. Avery Ranch Cedar Park Release Area (approximately 14.7 acres east of Parmer Lane on the south side of Brushy Creek within the Avery Ranch project), B. Wildhorse Ranch (approximately 1899 acres on the south side of US 290 E at the intersection of US 290 E and proposed SH 130).

The public hearing on Avery Ranch Cedar Park Release was closed on Council Member Griffith's motion, Council Member Thomas' second by a 7-0 vote.

The public hearing on Wildhorse Ranch was closed on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.

66. Conduct a public hearing to receive citizen comments regarding revisions related to reproductive services at Brackenridge Hospital, including the removal of the 5th floor from the Brackenridge hospital lease and adjustments in payments.

This item was postponed indefinitely.

75. Approve a resolution authorizing negotiation and execution of an amendment to the Brackenridge Hospital lease agreement with the Daughters of Charity Health Service of Austin, d/b/a Seton Medical Center, for revisions related to the provision of reproduction services, including the removal of the 5th floor from the lease and adjustments in payments. (Future funding will be

available from patient revenues, third party reimbursement and General Fund contributions otherwise payable to Seton.)

This item was postponed indefinitely.

67. Conduct a public hearing pursuant to Section 104.151 of the Texas Utilities Code to consider: 1) an audit report; 2) issuing an accounting order affecting the annual reconciliation report filed by Southern Union Gas (SUG); 3) amending SUG's Cost of Gas Clause Rate Schedule No. 1; and, 4) other related topics.

This item was postponed to January 2002.

76. Consider and possible action on 1) an audit report; 2) issuing an accounting order affecting the annual reconciliation report filed by Southern Union Gas (SUG); 3) amending SUG's Cost of Gas Clause Rate Schedule No. 1; and, 4) other related topics.

This item was postponed to January 2002.

68. Conduct a public hearing to consider approving use of approximately 0.1624 acres (7,076 square feet) to allow the construction of an additional northbound turn lane on North Lamar Boulevard at W. 24th Street through dedicated parkland known as Caswell Tennis Center Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the road construction as well as any parkland restoration will be paid by the requestor through a previously approved CIP.)

This item was postponed to November 1, 2001.

77. Consider and possible action approving use of approximately 0.1624 acres (7,076 square feet) to allow the construction of an additional northbound turn lane on North Lamar Boulevard at W. 24th Street through dedicated parkland known as Caswell Tennis Center Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (All costs associated with the road construction as well as any parkland restoration will be paid by the requestor through a previously approved CIP.)

This item was postponed to November 1, 2001.

69. Conduct a public hearing to consider an appeal of the Planning Commission's decision to approve a conditional use permit for the Blood Plasma Center. The proposed site is located at 5335 Burnet Road. File # SPC-01-0003A. Appellants: Carr Development, Inc. and the Allandale Neighborhood Association, Interested parties. City Staff: Fred Solis, 974-6045

This item was postponed to November 1, 2001 at applicant's request.

78. Consider an appeal of the Planning Commission's decision to approve a conditional use permit for the Blood Plasma Center. The proposed site is located at 5335 Burnet Road. File # SPC-01-0003A. Appellants: Carr Development, Inc. and the Allandale Neighborhood Association, Interested parties. City Staff: Fred Solis, 974-6045.

This item was postponed to November 1, 2001 at applicant's request.

The motion to adjourn the meeting at 6:42 p.m. was approved on Council Member Griffith's motion, Mayor Watson's second by a 7-0 vote.

The minutes for the regular meeting of October 25, 2001 were approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second by a 7-0 vote.